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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

In Re

Paul Kertesz,

Debtor.

BANKRUPTCY NO. 10-15877-LT7

HSBC Mortgage Corporation (USA), its assignees and/or successors

Moving Party

RS NO. BRI-1

Paul Anthony Kertesz, Debtor; and James L. Kennedy, Chapter 7
Trustee,

Respondent(s)

CHAPTER NO. 7

ORDER ON NONCONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY☒ **REAL PROPERTY** ☐ **PERSONAL PROPERTY**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through three (3) with exhibits, if any, for a total of 3 pages, is granted. Motion/Application Docket Entry No. 9

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October 14, 2010

DATED:

Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

McCarthy & Holthus, LLP

By: /s/ Brielyn Sesko, Esq.

Attorney for ☒ Movant ☐ Respondent

The Motion of HSBC Mortgage Corporation (USA), its assignees and/or successors ("Movant"), for relief from the automatic stay having been filed with the above-entitled court on 9/29/2010, and

The Notice of Filing of a Motion for Relief from Automatic Stay (a file-stamped copy of which is attached hereto as Exhibit A OR Notice Docket Entry No. 10, if filed electronically), the Motion, and accompanying Declarations having been served upon the parties named below on 9/29/2010, and

- ☒ Debtor (Name): Paul Kertesz
☒ Debtor's Attorney (Name): John C. Colwell
☒ Trustee (Name): James L. Kennedy
☐ United States Trustee (in Chapter 11 & 12 cases), and
☐ Others, if any (Name):

No objection or Request for Hearing having been filed by or on behalf of the Debtor, IT IS HEREBY ORDERED as follows:

The automatic stay pursuant to 11 U.S.C. Section 362 is hereby terminated for all purposes as to Movant in connection with the estate's and the debtor's interest in

1. ☒ The following real property:
 - a. Street address of the Property including county and state:
14316 Barrymore Street
San Diego, CA 92129

San Diego County
 - b. Legal description is ☒ attached as Exhibit A or ☐ described below:
 - c.

2. ☐ The following personal property as described ☐ below or ☐ in Exhibit B attached:

IT IS FURTHER ORDERED that (Optional): **The fourteen day stay described in Bankruptcy Rule 4001(a)(3) is waived.**

The Moving Party, at its option, may offer, provide and enter into any potential forbearance agreement, loan modification, refinance agreement or other loan workout/loss mitigation agreement as allowed by state law. The Movant may contact the Debtor via telephone or written correspondence to offer such an agreement. Any such agreement shall be non-recourse unless included in a reaffirmation agreement.

IT IS FURTHER ORDERED that Movant may contact the Debtor to comply with California Civil Code Section 2923.5.

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ORDER ON NON CONTESTED MOTION FOR RELIEF FROM AUTOMATIC STAY ON REAL OR PERSONAL PROPERTY

DEBTOR: Paul Kertesz,

CASE NO.: 10-15877-LT7

RS NO.: BRI-1

EXHIBIT A

All that certain real property situated in the County of San Diego, State of California, described as follows:

183:

Parcel 2 of Parcel Map 11240, being a resubdivision of Lots 11 through 14, inclusive, of Map 9948, in the City of San Diego, County of San Diego, State of California, according to Map thereof filed in the Office of County Recorder of San Diego County.